

Amendments to the Claims

The following listing of claims replaces all previously submitted listings:

1. (Currently Amended) A surgical device extending along an axis and having a proximal end and a distal end, the device being operable to move a suture through body tissue, comprising:

an elongate shaft having a hollow configuration;

a handle assembly coupled to the shaft;

an actuating rod having a proximal end and a distal end, the actuating rod being disposed to extend between the handle assembly and the shaft;

a needle assembly disposed at the distal end of the actuating rod and movable back and forth with the actuating rod between an extended state relative to the elongate shaft and a retracted state relative to the elongate shaft;

bifurcated portions of the needle assembly including a backing arm and a gathering arm and defining a suture slot with a proximal end and a distal end, the bifurcated portions having a proximate and spaced relationship when the needle assembly is in the retracted state and having a separated and further spaced relationship when the needle assembly is in the extended state;

a passage into the suture slot formed by a division between a proximal portion of the gathering arm and a distal portion of the gathering arm;

~~the bifurcated portions~~ backing arm and gathering arm of the needle assembly being unitary with one another at a proximal end of the suture slot;

a sharp distal tip of the needle assembly being unitary with ~~at least one of~~
the ~~bifurcated portions~~ backing arm at a distal end of the suture slot and unitary
with the distal portion of the gathering arm at the distal end of the suture slot, the
distal portion of the gathering arm extending proximally from the sharp distal tip
to form a hook around an opening at a distal end of the suture slot to retain the
suture, a portion of the opening remaining distally of the elongate shaft when the
needle assembly is in the retracted state;

the needle assembly being biased to the retracted state; and

the ~~bifurcated portions~~ backing arm and gathering arm being biased to the
separated relationship.

2-4. (Canceled)

5. (Currently Amended) The surgical device recited in Claim 4 wherein
the division between the proximal and distal portions of the gathering arm ~~are~~ is
disposed closer to the proximal end of the suture slot than the distal end of the suture
slot.

6. (Currently Amended) The surgical device recited in Claim 4 wherein
the division between the proximal and distal portions of the gathering arm ~~are~~ is
disposed closer to the distal end of the suture slot than the proximal end of the suture
slot.

7. (Original) The surgical device recited in Claim 3 wherein the bifurcated
portions of the needle assembly have an outer surface in the shape of a cylinder.

8. (Canceled)

9. (Withdrawn) The surgical device recited in Claim 1 wherein the suture slot has a tapered configuration.

10. (Currently Amended) The surgical device recited in Claim 6 wherein the proximal portion of the gathering arm includes an inward bend near its distal end and wherein the distal end of the proximal portion of the gathering arm in the a partially retracted position of the needle assembly is free to contact is bent toward and contacts the backing arm proximally of the distal portion of the gathering arm and opens the passage.

11. (Withdrawn – Currently Amended) The surgical device recited in Claim 6, wherein further comprising:

the passage is defined by a proximal portion of the gathering arm and a distal portion of the gathering arm, and the needle assembly further comprises:

a stop formed on the distal portion of the gathering arm to prevent the proximal portion of the gathering arm from contacting the backing arm in the retracted position of the needle assembly.

12. (Withdrawn) The surgical device recited in Claim 7 wherein at least one of the proximal end and distal end of the slot is rounded to inhibit suture damage.

13. (Currently Amended) A surgical suturing device, including:

a needle assembly having a needle movable in a needle housing between a free suture state, a captured suture state, and a locked suture state;

bifurcated portions of the needle assembly defining a suture slot, the bifurcated portions having a proximate relationship when the needle assembly is in the captured suture state and having a separated relationship when the needle assembly is in the free suture state;

the bifurcated portions of the needle assembly being unitary with one another;

a sharp distal tip of the needle assembly being unitary with at least one of the bifurcated portions;

a handle assembly including a longitudinal handle housing sized and configured to releasably receive the needle assembly;

a thumb slide assembly releasably coupled to the needle and movable longitudinally on the handle housing between a distal position and a proximal position;

a needle lock included in the thumb slide assembly and having a releasable locking relationship with the needle;

a needle housing lock carried by the handle housing and having a releasable locking relationship with the needle housing;

the needle housing lock is pivotal on the handle housing between an unlocking position and a locking position;

the distal position of the thumb slide assembly being associated with the needle in the free suture state; and

the proximal position of the thumb slide assembly being associated with the needle in the captured suture state and the locked suture state.

14. (Canceled)

15. (Original) The surgical suturing device recited in Claim 13 wherein the handle housing and the thumb slide form a ratchet at the distal position of the thumb slide assembly.

16-18. (Canceled)

19. (Currently Amended) The surgical suturing device recited in Claim ~~18~~16, further comprising:

a locking detent slidable on the handle housing between a first position wherein the needle housing lock is pivotal on the handle housing to the unlocking position, and a second position wherein the needle housing lock is held in the locking position.

20. (Original) The surgical suturing device recited in Claim 19 wherein the second position of the locking detent is distal of the first position of the locking detent.

21. (Original) The surgical suturing device recited in Claim 13, wherein:
the thumb slide has a detent position between the distal position and the proximal position;

the thumb slide in the detent position is associated with the handle in the captured suture state and an unlocked suture state; and

the thumb slide in the proximal position is associated with the needle in the captured suture state and a locked suture state.

22-27. (Canceled)